

**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT**

**MICHELE WILLIAMS and
CAROLINA AGUAYO-HERNANDEZ,**

Plaintiffs,

vs.

No. D-101-CV-2012-00780

**ARIC WHEELER, individually and
in his official capacity,
PHILLIP GALLEGOS, individually and
in his official capacity, CITY OF SANTA FE
and GORDON EDEN, JR., SECRETARY OF
NEW MEXICO DEPARTMENT OF PUBLIC SAFETY
and NEW MEXICO LAW ENFORCEMENT ACADEMY,**

Defendants.

**NEW MEXICO DEPARTMENT OF PUBLIC SAFETY AND NEW MEXICO LAW
ENFORCEMENT ACADEMY'S RULE 1-068 OFFER OF SETTLEMENT**

Defendants, New Mexico Department of Public Safety and New Mexico Law Enforcement Academy ("State Defendants"), offer to settle all claims brought by Carolina Aguayo-Hernandez against the State Defendants for the sum of THREE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$3,750.00), inclusive of all costs and attorney fees incurred by Plaintiff from inception of this matter to date of dismissal and thereafter on the following conditions:

1. That Ms. Aguayo-Hernandez enter into a stipulated dismissal, with prejudice, of all claims made against Gordon Eden, Jr. and Phillip Gallegos in Ms. Aguayo-Hernandez' Revised Third Amended Complaint for Damages and Notice of Appeal (filed August 14, 2013) ("the Complaint") and all causes of action, counts or claims which Ms. Aguayo-Hernandez could

have made against Defendants Eden and Gallegos in the Complaint prior to filing an acceptance of this Offer of Settlement for her claims against the State Defendants.

2. That after accepting this Offer of Settlement, Ms. Aguayo-Hernandez will enter into a stipulated dismissal, with prejudice, of all claims made against the State Defendants in the Complaint, and all claims, causes of action or counts which could have been made in the Complaint against the State Defendants.

This Offer of Settlement is made and its acceptance by Plaintiff Aguayo-Hernandez is premised upon the understanding that this Offer of Settlement is made for the purposes specified in Rule 1-068 NMRA and is not to be construed either as an admission that the State Defendants or any of its current or former employees, officials, agents or assigns are liable in this action or that this Plaintiff has suffered any damages, nor shall this Offer be evidence of same.

Defendant's Offer of Settlement is conditioned upon Plaintiff Aguayo-Hernandez' acceptance of the specific conditions of this Rule 1-068 NMRA Offer of Settlement (numbered 1-2) and her acknowledgment that the monetary settlement she is receiving includes any and all attorney fees and costs for which she may be responsible and that no further moneys will be paid by the State Defendants other than the \$3,750.00.

Respectfully submitted,

HINKLE, HENSLEY, SHANOR & MARTIN, LLP

By: /s/ Ellen S. Casey

Ellen S. Casey
Jaclyn M. McLean
Post Office Box 2068
Santa Fe, NM 87504-2068
Telephone: (505) 982-4554
Facsimile: (505) 982-8623
Email: ecasey@hinklelawfirm.com;

jmclean@hinklelawfirm.com

*Attorneys for Defendants Phillip Gallegos, Gordon
Eden, Jr., New Mexico Department of Public Safety
and New Mexico Law Enforcement Academy*